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Sixth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects
New York, 6-10 June 2016

Chair's draft 4

I. Consideration of the implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, at the national level, the regional level — including through regional and subregional arrangements and organizations — and at the global level, and in the light of the 2030 Agenda for Sustainable Development

1. Building on the agreed outcome documents of the second United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects (the Second Review Conference) and the Fifth Biennial Meeting of States to Consider the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects; and also bearing in mind the discussions of the second Open-ended Meeting of Governmental Experts on the Implementation of the Programme of Action, including the chair's summary.

2. Preparing the ground for a substantive, forward-looking third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action to Prevent, Combat and Eradicate the Illicit Trade in Small Arms and Light Weapons in All Its Aspects, to be held in 2018.

3. Noting the importance of national laws, regulations and administrative procedures, inter-agency coordination, and, where they exist, national action plans for the full and effective implementation of the Programme of Action.

* Reissued for technical reasons on 9 June 2016.

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4. Noting the increase in the illicit online trade in small arms and light weapons, including their parts and components.

5. Underlining the growing importance of brokering activities in the international transfer of small arms and light weapons, and noting the need to establish cost-effective control measures to prevent illicit brokering.

6. Emphasizing the importance of end-user certificates and end-use certification in small arms and light weapons export licensing procedures.

7. Recognizing that the standards and procedures that States establish for the management and security of small arms and light weapons stockpiles, in line with the provisions of the Programme of Action, are a prerogative of States.

8. Noting the importance of the adequate management of small arms and light weapons stockpiles, including sustainable life-cycle management, for minimizing the risk of diversion, including through theft, loss and unauthorized re-export, of small arms and light weapons to illicit markets, illegal armed groups, terrorists and other unauthorized recipients, for preventing accidental explosions and protecting the environment, and for improving the control, storage and registration of small arms and light weapons.

9. Stressing the importance of stockpile management and security, not only for the storage of small arms and light weapons, but also for their transportation, movement and transfer, at the national level.

10. Noting that the inadequate management of stockpiles of small arms, light weapons and ammunition remains a concern, due to the risk of their diversion to illicit markets.

11. Recognizing the importance of preventing, combating and eradicating the illicit use of explosive materials, especially materials used for terrorism and transnational organized crime.

12. Noting the opportunities new technologies, when available, can offer for enhanced stockpile management and security.

13. Noting that voluntary national reports on the implementation of the Programme of Action can serve, inter alia, to provide a baseline for measuring progress in the implementation of the Programme of Action, build confidence and promote transparency, provide a basis for information exchange and action, and serve to identify needs and opportunities for international assistance and cooperation, including the matching of needs with available resources and expertise.

14. Highlighting the utility of exchanging information on standards and practices used by States to combat the illicit trade in small arms and light weapons.

15. Considering the policy implications of the three-dimensional printing of small arms, including the problem of illicit manufacturing, for the implementation of the Programme of Action.

16. Welcoming the adoption of the 2030 Agenda for Sustainable Development, in particular Goal 16 and target 16.4 of the Sustainable Development Goals.

17. Acknowledging, in line with the 2030 Agenda, that sustainable development cannot be realized without peace and security and that peace and security will be at risk without sustainable development.

18. Noting that the illicit trade in small arms and light weapons has implications for the realization of several Sustainable Development Goals, including those relating to peace, justice and strong institutions, poverty reduction, economic growth, health, gender equality and safe cities.

19. Underlining the importance of the full and effective implementation of the Programme of Action and the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons for attaining Goal 16 and target 16.4 of the Sustainable Development Goals.

20. Highlighting the utility of target 16.4 in establishing baselines and measuring progress in implementation of the Programme of Action and the International Tracing Instrument at the national level, including progress made in the implementation of national action plans, where they exist.

21. Encouraging States to develop indicators, based on the Programme of Action and the International Tracing Instrument, which could be used to measure progress made in the implementation of target 16.4, drawing, as appropriate, on the experiences of other United Nations processes.[1]

22. Reaffirming the importance of promoting dialogue and a culture of peace through education and public awareness programmes on the problems of the illicit trade in small arms and light weapons in all its aspects, involving all sectors of society.

23. Noting that the full and effective implementation of the Programme of Action helps to prevent the acquisition of small arms and light weapons by terrorists, thus reducing the potential impact of their attacks.

Way forward

24. To ensure that destroyed and deactivated small arms and light weapons are rendered permanently inoperable such that illicit reactivation is physically impossible, and recognizing the value of adopting relevant best practices in this regard.

25. To encourage the utilization of good practices and lessons learned, including the voluntary use of standardized implementation guidelines for the full and effective implementation of the Programme of Action.

26. To strengthen border controls by establishing and enforcing laws, regulations and administrative procedures that effectively combat the illicit trade in small arms and light weapons across borders.

27. To reinforce, as necessary, cross-border cooperation, at the national, subregional and regional levels, in addressing the problem of the illicit trade in small arms and light weapons in all its aspects as a common but differentiated responsibility.

28. To coordinate, as appropriate, implementation of the Programme of Action at the national level with relevant subregional, regional and international obligations, and with related issues and processes, including those concerning disarmament, demobilization and reintegration; border controls; organized crime; terrorism; urban

[1] For example, processes relating to biological diversity, climate change, desertification, sustainable consumption and production, UN-Energy and UN-Water.

crime; relevant resolutions of the Security Council and the General Assembly; and related capacity-building initiatives.

29. To take into account complementarities between the Programme of Action and relevant subregional, regional and global instruments in which Member States participate, including those that are legally binding, in order to enhance, as appropriate, coordination at the national level on the implementation of the Programme of Action.

30. To share, and as necessary implement, best practices in physical stockpile management and security in order to prevent the diversion of small arms and light weapons to the illicit markets, illegal armed groups, terrorists and other unauthorized recipients, including in conflict and post-conflict situations.

31. To continually assess national stockpiles for surpluses and to responsibly dispose of small arms and light weapons that no longer meet operational needs, preferably through destruction.

32. To submit comprehensive national reports on the implementation of the Programme of Action in time for the third United Nations Conference to Review Progress Made in the Implementation of the Programme of Action, to be held in 2018.

33. To combine reporting under the Programme of Action with reporting under other instruments, including regional ones, and thus minimize administrative reporting burdens.

34. To encourage States, in reporting on their implementation of the Programme of Action, to highlight progress made in implementing the relevant goals and targets of the 2030 Agenda on Sustainable Development.

35. To request the Secretariat for the third review conference to conduct an analysis of national reports on the Programme of Action and the International Tracing Instrument in order to, inter alia, identify implementation challenges and opportunities, help strengthen future implementation efforts, and guide, inter alia, actors in assisting States, upon their request, in implementing the Programme of Action, including the United Nations regional centres for peace and disarmament.

36. To establish or strengthen subregional, regional and cross-regional cooperation, coordination and information-sharing mechanisms, including the sharing of best practices, in order to support implementation of the Programme of Action.

37. To draw, as appropriate, on subregional and regional efforts, including those of the regional centres for peace and disarmament, to develop and share best practices and standards for combating the illicit trade in small arms and light weapons.

38. To encourage, where relevant, subregional and regional organizations to align the timing of their meetings with the global cycle of meetings, so as to ensure, as appropriate, a maximum of synergies between actions taken at the national, subregional, regional and global levels, such as improved efficiency and the enhanced sharing of information and good practices.

39. To encourage cooperation, coordination and information-sharing between subregional, regional and international organizations, specifically with a view to avoiding the duplication of efforts in implementing the Programme of Action.

40. To encourage regional and subregional organizations to identify areas of comparative advantage in tackling the illicit trade in small arms and light weapons.

41. To strengthen the role of the regional centres for peace and disarmament in supporting implementation of the Programme of Action.

42. To develop, as appropriate, in coordination with relevant subregional and regional organizations, proposals for assistance in combating the illicit trade in small arms and light weapons.

43. To encourage meetings of national points of contact in order to strengthen coordination and the exchange of information and best practices between States, including at the subregional and regional levels.

44. To identify opportunities for the strengthened measurement of progress in national implementation of the Programme of Action.

45. To strengthen, as appropriate, the contribution of civil society and of industry to the implementation of the Programme of Action.

46. To explore how governments, through their national reports under the Programme of Action and the International Tracing Instrument, with the assistance of the United Nations, can support data collection for relevant indicators of the Sustainable Development Goals.

47. In implementing the Programme of Action and the International Tracing Instrument in the light of the 2030 Agenda for Sustainable Development, to encourage the establishment and strengthening of cooperation and partnerships at all levels among governments, international and intergovernmental organizations and civil society.

48. To enhance cooperation with the World Customs Organization on enforcement operations, led by that Organization, in combating the illicit trade in small arms and light weapons.

49. To enhance cooperation with the International Criminal Police Organization (INTERPOL) and the World Customs Organization, as well as other relevant organizations, in order to identify and act against groups and individuals involved in the illicit trade in small arms and light weapons, including illegal armed groups, terrorists and other unauthorized recipients.

50. To encourage the Security Council to consider, on a case-by-case basis, enhancing the role of United Nations peacekeeping missions, in line with their mandates and capacities, and in close coordination with host States, in combating the illicit trade in small arms and light weapons, including in the area of arms embargo monitoring.

51. To take account, in post-conflict reconstruction programmes, where appropriate and with the consent of concerned States, of the problems and consequences of the illicit trade in small arms and light weapons in all its aspects, including through peacebuilding, disarmament, demobilization and reintegration, and security sector reform.

52. To take account, in post-conflict settings, of the needs of affected States for assistance in implementing the Programme of Action.

53. To take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys in policies and programmes designed to combat the illicit trade in small arms and light weapons.

54. To promote the meaningful participation and representation of women in policymaking, planning and implementation processes related to the Programme of Action, including their participation in national small arms commissions and in programmes relating to community safety and conflict resolution, taking into account General Assembly resolution 65/69 on women, disarmament, non-proliferation and arms control, and subsequent resolutions on that question, as well as Security Council resolution 1325 (2000) on women and peace and security, and follow-up resolutions, including Security Council resolution 2242 (2015).

55. To encourage the collection of disaggregated data on gender and small arms and light weapons.

56. To seriously consider increasing funding for policies and programmes that take account of the differing impacts of illicit small arms and light weapons on women, men, girls and boys.

57. To take account of synergies with counter-terrorism mechanisms of the United Nations in the implementation of the Programme of Action.

58. To enhance international cooperation in combating the illicit trade in small arms and light weapons linked to drug trafficking, transnational organized crime and terrorism.

II. Consideration of the implementation of the International Instrument to Enable States to Identify and Trace, in a Timely and Reliable Manner, Illicit Small Arms and Light Weapons, including recent developments in small arms and light weapons technology and their implications for the International Tracing Instrument

59. Recognizing the importance of developing or establishing strict national regulatory frameworks for the marking, recording and tracing of small arms and light weapons, including for purposes of enhancing control over legal transfers and exchanging information on such transfers in accordance with the provisions of the International Tracing Instrument.

60. Recognizing the importance of marking and record-keeping for the management and security of small arms stockpiles, including inventory management and accounting control.

61. Noting the linkages between the implementation of the International Tracing Instrument and the Protocol against the Illicit Manufacturing of and Trafficking in Firearms, Their Parts and Components and Ammunition, supplementing the United Nations Convention against Transnational Organized Crime Protocol for those States that are parties to the Protocol.

62. Noting the complementary role that the exchange of ballistics information and the use of ballistics databases, including the provision of technical and financial

assistance for the purpose of strengthening national capacities, can play in combating the illicit trade in small arms and light weapons.

63. Acknowledging the need to implement the commitments on marking, record-keeping and tracing contained in the International Tracing Instrument, regardless of the material or method used in the manufacture of small arms and light weapons, including polymer frames/receivers and additive manufacturing techniques.

64. Acknowledging the need to identify in national laws and regulations, including those concerning modular weapons, the essential or structural component for the purpose of unique marking in line with paragraph 10 of the International Tracing Instrument.

65. Considering the policy implications of the three-dimensional printing of small arms, including the problem of illicit manufacturing, for the implementation of the Programme of Action.

66. Noting that the tracing of illicit small arms and light weapons in conflict and post-conflict situations can support broader conflict prevention, crisis management and peacebuilding policies and programmes.

67. Highlighting the utility of conflict tracing in combating the illicit trade in small arms and light weapons, including illicit brokering, by helping to prevent the diversion of legally transferred small arms and light weapons to illicit markets.

68. Noting that the effective tracing of small arms and light weapons can serve to strengthen measures that combat the illicit trade in small arms and light weapons.

Way forward

69. To continue to mark, record and trace small arms and light weapons in accordance with the provisions of the International Tracing Instrument.

70. To encourage those States and international and regional organizations in a position to do so to provide technical assistance for the development of marking, record-keeping and tracing systems that support implementation of the International Tracing Instrument.

71. To enhance dialogue with industry, especially regarding the effective marking of small arms and light weapons, in the light of recent developments in small arms and light weapons manufacturing, technology and design.

72. To urge States in a position to do so to increase assistance to developing countries in order to bridge the technological divide between States, where it exists, in small arms and light weapons marking, record-keeping and tracing systems.

73. To consider the implications for the International Tracing Instrument of recent developments in small arms and light weapons manufacturing, technology and design as an input to the third review conference, to be held in 2018.

74. To engage with INTERPOL and the World Customs Organization on the implications of 3D printing for the implementation of the International Tracing Instrument and the Programme of Action.

75. As necessary, upon request, to assist States and relevant bodies, organs and missions of the United Nations, as well as relevant regional organizations, to build

capacity for the tracing of small arms and light weapons in conflict and post-conflict situations.

76. In accordance with the provisions of the International Tracing Instrument, to strengthen the tracing of small arms and light weapons in conflict and post-conflict situations, including through the provision of capacity-building assistance, for purposes of identifying and containing the flow of weapons into such zones, providing early warning of destabilizing flows of weapons and preventing conflict, including through the voluntary use of tools such as the Illicit Arms Records and Tracing Management System of INTERPOL.

77. To encourage Member States, in accordance with national law and administrative procedures, relevant United Nations entities, intergovernmental, regional and subregional organizations, in a position to do so and where appropriate, to cooperate and share information relevant to the illicit transfer, destabilizing accumulation or misuse of small arms and light weapons with potentially affected States and with relevant United Nations entities, including groups of experts assisting sanctions committees and peacekeeping missions.

78. To enhance the exchange of tracing results between appropriate authorities at the national, regional and global levels in conformity with the provisions of the International Tracing Instrument, in order to prevent the diversion of small arms and light weapons to illicit markets.

79. To make full use of information on illicit trade routes and diversion methods, revealed by tracing, in order to strengthen implementation of the Programme of Action.

80. To enhance cooperation with INTERPOL in identifying and tracing diverted small arms and light weapons.

81. In accordance with the provisions of the International Tracing Instrument, to share and analyse information relating to the illicit trade in small arms and light weapons in order to identify trends and patterns.

82. To strengthen the exchange and use of information on the illicit trade in small arms and light weapons, as well as diversion to illicit markets, including through the use of web-based databases, such as those of INTERPOL (databases of the Illicit Arms Records and Tracing Management System and of the INTERPOL Ballistic Information Network).[2]

[2] See www.interpol.int/Crime-areas/Firearms/INTERPOL-Illicit-Arms-Records-and-tracing-Management-System-iARMS and www.interpol.int/Crime-areas/Firearms/INTERPOL-Ballistic-Information-Network-IBIN.

III. Consideration of international cooperation and assistance for the full and effective implementation of the Programme of Action and the International Tracing Instrument, including capacity-building

A. Ways to strengthen the implementation of the Programme of Action and the International Tracing Instrument through the provision of training, equipment and the transfer of technology

83. Underlining the importance of sustainable outcomes and impacts when designing and implementing cooperation and assistance programmes and, for this purpose, ensuring such programmes have national ownership, and of providing for the training of managers and leaders and the establishment of personnel career structures that retain, sustain and strengthen knowledge and skills in recipient States.

84. Noting the importance of staff training, adequate infrastructure and equipment, maintenance, inventory management and record-keeping in the management and security of small arms and light weapons stockpiles.

85. Stressing the importance of the transfer of technology and equipment, and the accompanying need for measures, such as capacity-building, to maintain transferred equipment.

B. Ways to ensure the adequacy, effectiveness and sustainability of assistance for the implementation of the Programme of Action and the International Tracing Instrument, including financial and technical assistance

86. Emphasizing that international cooperation and assistance remain essential to the full and effective implementation of the Programme of Action and the International Tracing Instrument.

87. Noting that national reports can be used to identify assistance needs and match them with available resources and expertise.

88. Emphasizing that assistance programmes should, in consultation with the recipient country, aim at building sustainable capacity by, inter alia, identifying potential barriers to sustainability at the design phase, along with opportunities for complementary programming that can mitigate such barriers.

89. Noting that the Group of Interested States for Practical Disarmament Measures can serve as a forum for matching needs and resources.

90. Noting the opportunity for synergies between projects designed to support implementation of the Programme of Action and the International Tracing Instrument and projects related to the Sustainable Development Goals.

91. Noting the need to regularly update, where they exist, national action plans in order to reflect, inter alia, progress made in the implementation of the Programme of Action and the International Tracing Instrument.

92. Acknowledging the need for financial and technical assistance in support of the implementation of the Programme of Action and the International Tracing Instrument, also in the light of related commitments undertaken in the 2030 Agenda for Sustainable Development.

Way forward

93. To explore options for building sustainable capacity for the life-cycle management of small arms and light weapons stockpiles (normative frameworks, structures and procedures, training, personnel management, financing and infrastructure).

94. To take into account, when designing small arms assistance programmes, other related programmes with a view to avoiding duplication, maximizing coordination and complementarity and enhancing the effectiveness of assistance programmes.

95. To build capacity for enhanced cross-border information exchange and cooperation for the purpose of combating the illicit cross-border trade in small arms and light weapons.

96. To build capacity for small arms and light weapons identification, tracing and control in conflict and post-conflict situations, including through training for risk management, targeting and enforcement.

97. To identify synergies between assistance aimed at supporting small arms marking, record-keeping and tracing and that aimed at strengthening the management and security of small arms and light weapons stockpiles.

98. To increase national capacity to take account of diversion risks when assessing applications for the authorization of exports of small arms and light weapons, and to put in place, where they do not exist, adequate laws, regulations and administrative procedures to ensure effective control over the export, transit and import of small arms and light weapons, including the use of end-user certificates and end-use certification, and effective legal and enforcement measures.

99. To build national capacity to report on small arms and light weapons that have been seized and which have been recorded and traced.

100. To build national capacity for sustainable life-cycle management of small arms and light weapons stockpiles, including associated equipment and maintenance needs.

101. To ensure the suitability and sustainability of technology and equipment before its transfer.

102. To urge States in a position to do so to provide developing countries, upon request, with critical technology and equipment and related training and maintenance essential to the effective implementation of the Programme of Action and the International Tracing Instrument.

103. To improve coordination among donors and between donors and recipients, as well as within countries.

104. To ensure national ownership of international assistance projects by, inter alia, involving national authorities in the project planning and implementation cycle and tailoring assistance to local structures and procedures.

105. To increase the sustainability of international assistance through the allocation by the recipient country of financial, administrative and other resources, bearing in mind the different situations, capacities and priorities of States and regions.

106. To identify, prioritize and communicate assistance needs, and to develop specific project proposals to that end.

107. To enhance the effectiveness of assistance frameworks by, inter alia, strengthening measurability, evaluation and coordination.

108. To encourage the sharing of information on assistance projects, including lessons learned and best practices.

109. To consider the adequacy of existing structures, including:

(a) The region-specific trust funds of the United Nations regional centres for peace and disarmament;

(b) The United Nations Trust Facility Supporting Cooperation on Arms Regulation;

(c) Funds of other parts of the United Nations system that contribute to the implementation of the Programme of Action, including those of the Department of Peacekeeping Operations, the Office for the Coordination of Humanitarian Affairs, the United Nations Development Programme, the Office of the United Nations High Commissioner for Refugees, the United Nations Children's Fund, the United Nations Office on Drugs and Crime and the United Nations Entity for Gender Equality and the Empowerment of Women.

110. To request the Secretariat:

(a) To present, for consideration at the third review conference, options for the enhanced funding of activities relating to the implementation of the Programme of Action and the International Tracing Instrument, including trust fund arrangements, and for the establishment of programmes for the training of relevant officials, nominated by their respective Governments, in areas related to the implementation of the Programme of Action and the International Tracing Instrument;

(b) To update the comprehensive study on the adequacy, effectiveness and sustainability of financial and technical assistance, including the transfer of technology and equipment particularly to developing countries since 2001, for the full and effective implementation of the Programme of Action, and to submit this study to the third review conference;

(c) To continue to collaborate with relevant research and training institutions, particularly those from developing countries, on activities addressing the illicit trade in small arms and light weapons, including the sharing of rosters of experts, including experts from developing countries, where relevant;

(d) To include, among the globally available web-based resources it provides, relevant information, such as studies, publications and other resources, related to the implementation of the Programme of Action and the International Tracing Instrument.

IV. Other issues and topics of relevance for the effective implementation of the Programme of Action and the International Tracing Instrument

[to be added in the next draft]